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## MID-ATLANTIC ENVIRONMENTAL LAW CENTER

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January 17, 2006

## **VIA OVERNIGHT MAIL**

Mark J. Shaw McDonald, Illig, Jones & Britton LLP 100 State Street, Suite 700 Erie, PA 16507-1459

Re: Erie Co. Environmental Coalition v. Millcreek Township Sewer Authority, No.

05-59E

Dear Mark:

I am in receipt of your facsimile dated January 11, 2006 regarding your request for possible deposition dates for Plaintiffs' standing declarants. Plaintiffs request that prior to making such a request, Defendants review the standing declarations to determine whether such depositions are necessary. The declarations are included in this mailing along with the Supplemental Responses to Defendants' Interrogatories and Requests for Production. After such a review, Defendants should contact Plaintiffs regarding whether there are any gaps in the declarations prepared by the standing witnesses. In the absence of such gaps, Plaintiffs will consider any request for a deposition to be harassment because such depositions would be unnecessary and unduly burdensome considering the minimal standing requirements in environmental cases.

Please contact me if there are any questions.

Sincerely,

Jennifer A. Murphy

**Enclosures**